IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9174 of 2005

Between:

Kilari Chinakondaiah S/o Balaiah
R/o Gundlasamudram Vilalge, Marripaudi Mandal, Prakasam District

..... PETITIONER

AND

1 The District Collector, Praksam/The District Election Authority, Under A.P. Farmers Management of
Irrigation systems (Delineation & Systems (Delineation & Formation of Water Users Associations) Rules, 2003
2 The Revenue Divisional Officer, Kandukur, Prakasam District
3 The Mandal Revenue Officer, marripudi Mandal Marripudi Prakasam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ, order or direction more in the nature of Mandamus or any other appropriate Writ declaring the action of the respondents in conducting elections to the managing Committee of Gundlasamudram Village tank water Users association, Gundlasamudram, Marripudi Mandal, Prakasam District following the procedure under Rule 9 and without disposing of the Appeal filed by the petitioner before the 1st Respondent dated19-04-2005 as illegal, arbitrary, and without jurisdiction and contrary to the rules and consequentially to pass appropriate orders as this Hon'ble Court may deem fit and proper int he circumstances of the case

Counsel for the Petitioner: MR.K.ANANDA RAO

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court at the stage of admission made the following :

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO. 9174 OF 2005.

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ORAL ORDER:

Petitioner seeks declaration that the action of the respondents in holding elections for the Gundlasamudram village Water Users Association on 25.4.2005 pending his appeal as illegal and arbitrary and contrary to the A.P. Farmers' Management of Irrigation Systems (Delineation and formation of Water Users Associations) Rules, 2003.

As seen from the record, the voters' list was published on
14-4-2005 and that the petitioner filed his objections before the District Collector on the same day i.e. on 19.4.2005 i.e. within seven days as prescribed under the amended Rule 10 of the Rules, for correction of the voters' list, but the same was not considered.

Having regard to the said facts and circumstances, since the petitioner filed his objections within the time limit, the District Collector is hereby directed to dispose of the objections/appeals preferred by the petitioner before 25.4.2005, in accordance with law.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

21-04-2005

Note:

Issue operative portion of the

Order on wire at party's cost.

B/0 kvsn.

To

1 The District Collector, Praksam/The District Election Authority, Under A.P. Farmers Management of
Irrigation systems (Delineation & Systems (Delineation & Formation of Water Users Associations) Rules, 2003
2 The Revenue Divisional Officer, Kandukur, Prakasam District
3 The Mandal Revenue Officer, marripudi Mandal Marripudi Prakasam District

4 Two CCs to GP FOR IRRIGATION & COMM AREA DEV. High Court buildings, Hyderabad. (OUT)

5 Two CD copies.